

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-publication of Notice Statement)

Amend Section 401
Title 14, California Code of Regulations
Re: Issuance of Permits to Kill Deer, Bear, Elk, Wild Pig, Gray Squirrel and Beaver
Causing Damage.

I. Date of Statement: January 14, 2002

II. Dates and Locations of Scheduled Hearings:

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|-----|---------------------|-----------|------------------------|
| (a) | Notice Hearing: | Date: | February 9, 2002 |
| | | Location: | Sacramento, California |
| (b) | Discussion Hearing: | Date: | March 8, 2002 |
| | | Location: | San Diego, California |
| (c) | Discussion Hearing: | Date: | April 5, 2002 |
| | | Location: | Long Beach, California |
| (d) | Adoption Hearing: | Date: | April 25, 2002 |
| | | Location: | Sacramento, California |

III. Description of Regulatory Action:

- (a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

Existing regulations provide for issuing a permit for killing various game species which cause damage to private property. These regulations specify the conditions for using the permits, who may use the permits and any reporting requirements for permittees. Through the years, several amendments have been made to the section by adding new provisions and causing confusion. The proposed change modifies the permit term to a maximum of one year (except for deer), allows federal employees to act as agents for the landowner, clarifies in simple english and reorders the section in a logical manner.

Extending the term of the permit to one year will improve public service eliminating the need for an individual experiencing damage to be issued several permits for a chronic problem where the animal is not taken. Often, the most qualified person to effectively deal with the depredating animal is a federal or county employee who specializes in catching vertebrate pests. Many landowners have no expertise in animal trapping or hunting, and consequently the permit is ineffective if it permits only the landowner. The proposed change will alleviate this problem by allowing professional employees to act as the landowners' agent.

Through the years, several amendments have been made to the section by adding new provisions causing confusion. The proposed change will clarify the section by reordering the sections and by using plain English.

- (b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority cited: Sections 202, 3003.1 and 4181, Fish and Game Code.
Reference: Sections 3003.1 and 4181, Fish and Game Code.

- (c) Specific Technology or Equipment Required by Regulatory Change:
None.

- (d) Identification of Reports or Documents Supporting Regulation Change:

Draft Environmental Document Regarding Bear Hunting.

- (e) Public Discussions of Proposed Regulations Prior to Notice Publication:

None

IV. Description of Reasonable Alternatives to Regulatory Action:

- (a) Alternatives to Regulation Change:

No alternative to the proposed change is identified.

- (b) No Change Alternative:

This alternative would continue to restrict changes to the tag application procedures to even years only. This alternative is rejected because it would not allow for implementing ALDS during odd or even years.

- (c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

The statement described pursuant to Section 11346.14(b), Government Code, may be modified by information received at public meetings scheduled for March 8, 2002, in San Diego, California, and April 5, 2002, in Long Beach, California.

V. Mitigation Measures Required by Regulatory Action:

Attached are copies of the Draft Environmental Document Regarding Bear Hunting.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and following initial determinations relative to the required statutory categories have been made.

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businessmen to Compete with Businesses in other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes are meant to clarify regulations and improve public service.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

INFORMATIVE DIGEST(Policy Statement Overview)

Existing regulations provide for issuing a permit for killing various game species which cause damage to private property. These regulations specify the conditions for using the permits, who may use the permits and any reporting requirements for permittees. Through the years, several amendments have been made to the section by adding new provisions and causing confusion. The proposed change modifies the permit term to a maximum of one year (except for deer), allows federal employees to act as agents for the landowner, clarifies in simple english and reorders the section in a logical manner.